

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS AT BOSTON

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HEATHER KIERNAN,

Plaintiff,  
-v- CIVIL NO. 04-10131 RBC

ARMORED MOTOR SERVICE OF  
AMERICA, INC., and  
FRANCESCO CIAMBRIELLO

Defendants.

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**PLAINTIFF HEATHER KIERNAN'S NOTICE OF GROUNDS OF OBJECTIONS  
TO THE PROPOSED EXHIBITS OF  
DEFENDANTS ARMORED MOTOR SERVICE OF AMERICA, INC. and  
FRANCESCO CIAMBRIELLO**

Pursuant to paragraph 10 of this Court's Order for Pre-Trial Conference and For Trial dated November 14, 2006, the Plaintiff in the above captioned matter hereby gives notice of her objections to the Defendants' offered exhibits.<sup>1</sup>

TO THE DEFENDANTS, the Plaintiff objects as follows:

1. Application for Criminal Complaint filed by Sgt. David Dawes, North Attleboro Police Department charging Heather Kiernan with violation of M.G.L. 266, §§ 20 and 30.

**OBJECTION: Hearsay, irrelevant and prejudicial. It is also not evidence of a conviction. See Fed.R.Evid. 403, 801, 802 and 609.**

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<sup>1</sup> These exhibits are identified in the pretrial memoranda. This objection does not address any proposed exhibit in a supplemental filing.

2. Criminal Docket Sheet, Docket No. 0034CR005097.

**OBJECTION: Hearsay, irrelevant and prejudicial. It is also not evidence of a conviction. See Fed.R.Evid. 403, 801, 802 and 809.**

3. Sworn Affidavit of Heather Kiernan filed with the Massachusetts Probate Court, Bristol County, dated September 18, 2001. **OBJECTION: Hearsay, irrelevant and prejudicial. See Fed.R.Evid. 403, 801 and 802.**
4. Sworn Affidavit of Heather Kiernan filed with the Massachusetts Probate Court, Bristol County, dated July 16, 2003. **OBJECTION: Hearsay, irrelevant and prejudicial. See Fed.R.Evid. 403, 801 and 802.**
5. Complaint for Protection from Abuse filed by Heather Kiernan July 15, 2003. **OBJECTION: Hearsay, irrelevant and prejudicial. See Fed.R.Evid. 403, 801 and 802.**
6. Complaint for Protection from Abuse filed by Heather Kiernan October 22, 2001. **OBJECTION: Hearsay, irrelevant and prejudicial. See Fed.R.Evid. 403, 801 and 802.**
7. March 27, 2005 Affidavit by John Kiernan. **OBJECTION: Hearsay, irrelevant and prejudicial. See Fed.R.Evid. 403, 801 and 802.**

8. September 19, 2001 Affidavit by John Kiernan.

**OBJECTION: Hearsay, irrelevant and prejudicial. See Fed.R.Evid. 403, 801 and 802.**

9. "Valuing and Respecting Each Other" training video.

**OBJECTION: Relevancy. Failure to identify and disclose during discovery. As Plaintiff has never seen this video, all other objections are reserved.**

Respectfully submitted:  
The Plaintiff,

DATED: April 11, 2007

HEATHER KIERNAN  
By her attorney:

/s/ William J. McLeod  
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**CERTIFICATE OF SERVICE**

Pursuant to Rule 5.2 (b) and 5.4 (c), I hereby certify that on April 11, 2007 a true copy of the above documents was served on each of the attorneys identified below who are participants in the Court's ECF program:

David Ardito, counsel for Ciambriello  
Allison Romantz, counsel for AMSA  
Laurence J. Donoghue, counsel for AMSA  
Robert P. Joy, counsel for AMSA

/s/ William J. McLeod  
William J. McLeod